b.) Remarks

Claims 5-7, 10 and 12-33 are pending in this application. Claims 5, 6, 7, 13, 18, and 19 have been amended in various particulars as indicated hereinabove. New claims 25-33 have been added to alternatively define the invention.

Claims 5-6 and 10 were rejected under 35 U.S.C. 102(e) as being anticipated by Robbins *et al.* (US 2004/0072593 A1). In related rejections, claims 12 and 13 were rejected under 35 U.S.C. 103(a) as being unpatentable over Robbins *et al.* (US 2004/0072593 A1) in view of Pan *et al.* (US 2004/0002335 A1); claims 14-16 and 20-22 were rejected under 35 U.S.C. 103(a) as being unpatentable over Robbins *et al.* (US 2004/0072593 A1) in view of Bridgelall (US 2002/0085516 A1); and claims 17-19 and 23-24 were rejected under 35 U.S.C. 103(a) as being unpatentable over Robbins *et al.* (US 2004/0072593 A1) in view of Bridgelall (US 2002/0085516 A1) and Pan *et al.* (US 2004/0002335 A1).

These rejections are respectfully traversed. Generally, it is the contention of the Applicants that the primary reference, the Robbins Application, does not show the basic functionality set forth in the present claimed invention, contrary to the arguments presented in the pending Action.

In more detail, claim 10 is rejected based on Robbins Application. It is claimed that paragraphs 63 and 64 in Robbins teaches a controller (a soft switch) that emulates the mobile terminal on the cellular carrier network when the mobile terminal is communicating via the wireless local area network. It is also claimed that the soft switch controller registers and emulates the mobile terminal.

Exception is taken with these conclusions. In fact, the present claimed invention functions in a substantially different way than that described in the Robbins Application.

First, the system described in the Robbins Application utilizes the PSTN, not the cellular networks as claimed. In more detail, paragraph 63 of Robbins Application describes routing calls from the PSTN to a dual mode phone on the WLAN via the soft switch. Paragraph 63, however, does not mention any connection of the soft switch to the

cellular network. Instead, the Robbins soft switch is connected to the PSTN and not to the cellular network. The phone number of the dual mode phone when it is operating on the WLAN is a PSTN phone number and not a cellular network phone number as calls get routed to the dual mode phone via the soft switch's connection to the PSTN. Thus, the system described in the Robbins Application does not provide for "calls from the cellular carrier network being received via a fixed radio terminal of the controller," as claimed.

Moreover, paragraph 64 of the Robbins Application describes how the soft switch communicates with the dual mode phone when the dual mode phone is operating on the cellular network. Calls to the dual mode phone continue to come into the soft switch from the PSTN. The soft switch communicates with the dual mode phone via two paths. It uses an intermediary IP network to create a connection to the wireline side of the cellular carrier's IP data network (GGSN and SGSNs). The soft switch uses the PSTN as an intermediary to place an outbound call to the cellular side of the dual mode phone operating on the cellular network. There is no direct radio channel connection to the cellular network, as is required by claim 10 insofar as it requires: "each of the calls being maintained over the cellular carrier network through the fixed radio terminal and over the wireless local area network."

Also, the Robbins Application does not teach the claimed mobile terminal emulation. In paragraphs 63 and 64 of Robbins, there is no mention of the soft switch emulating a mobile terminal (a regular cell phone) to the cellular network as is required by claim 10. Thus, there is a fundamental difference between the present claimed invention and the system described in the Robbins Application. In short, the dual mode phone (the mobile terminal) has a cellular network phone number in the present system, whereas a PSTN phone number is used in the Robbins Application. In Robbins, calls directed to the dual mode phone when it is operating on the WLAN come to it via the soft switch from the PSTN. Instead, in the present invention, calls to the dual mode mobile terminal come via the controller (Cellular Proxy), which is connected to the radio channel

of the cellular network and acts on behalf of (emulating) the dual mode phone on the cellular network's radio channel.

It is argued that paragraph 75 of the Robbins Application teaches that calls coming from the cellular network are received by a fixed radio terminal of the controller. In fact, paragraph 75 of the Robbins Application does not provide for calls to the cellular carrier cellular phone number being received on the soft switch. In paragraph 75, the soft switch always receives calls from the PSTN and never receives calls directly from the cellular network via a radio interface. In fact, there is also no description of any cellular network radio technology embodied in the soft switch. The soft switch can only communicate with the cellular network via the cellular network's IP network connection to a wired IP network, such as the Internet, and to the wired PSTN. There is no direct radio channel connection between the soft switch described in Robbins Application and the cellular network's radio channels.

For these reasons, it is believed that claim 10 is distinguishable over the applied reference. Moreover, for similar reasons claim 24 is also distinguishable over the Robbins Application and the secondary references.

Claim 7 was rejected under 35 U.S.C. 103(a) as being unpatentable over Robbins *et al.* (US 2004/0072593 A1) in view of Dorenbosch *et al.* (US 2004/00289009 A1). Claim 7 has been amended to more closely track claim 10 and is patentable for many of the reasons presented above.

Claims 6-7, 10 and 23 were rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the enablement requirement.

Claim 6 as filed provided for TDM-to-VoIP conversion. Moreover, paragraph [13] provides: "the Cellular Proxy can proxy for mobile devices in CDMA-based and TDMA-based cellular networks simultaneously"; and paragraph [16] provides: "Regardless of how the calls arrive, they are converted into voice over IP (VoIP) packets by the appropriate device and presented to the mobile device via the WLAN."

Claim 7 has been amended to remove the noted material.

Regarding claims 10 and 23, the specification provides for mobile terminal registration/emulation and maintaining the call through the fixed radio terminal. For example, paragraph [17] provides: "After the Cellular Proxy has successfully registered the mobile device in the cellular network, it returns a Registration Complete message to the authentication server. Cellular Proxy then starts listening on the appropriate paging channel for calls destined for the mobile device from the cellular carrier network and will deliver such calls to the mobile device via the appropriate access controller (or the wireless LAN switch) and access point." Further, original claim 2 provided: "switching the communication session between a communication path passing from the wide area wireless network through a fixed radio terminal and over the local network to the mobile terminal"

For these reasons, it is believed that support is present in the original specification.

Claims 5, 7, and 13 were rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 5, 7, and 13 have been amended to overcome this rejection.

Claims 18-19 were objected to because of informalities. Claims 18-19 have been amended to overcome the informalities.

Applicants believe that the present application is in condition for allowance. A Notice of Allowance is respectfully solicited. Should any questions arise, the Examiner is encouraged to contact the undersigned.

Respectfully submitted,

By /grant houston/
J. Grant Houston
Registration No.: 35,900
Tel.: 781 863 9991
Fax: 781 863 9931

Lexington, Massachusetts 02421
Date: February 28, 2007